

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:06CR3095
v.)	
)	
JEFFREY E. HOOVER,)	
)	MEMORANDUM AND ORDER
Defendant.)	
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A conference with counsel was held by telephone conference call this date pursuant to Fed. R. Crim. P. 17.1. Counsel discussed with the court various aspects of the case and its stage of preparation for trial. Among other things, the government reported that it does not intend to seek the death penalty in the event of a conviction, but has not formally so stated. I shall require a formal decision by the government in that matter. In accordance with the discussion during the conference,

IT THEREFORE HEREBY IS ORDERED,

If the government intends to seek the death penalty in this case in the event of a conviction, the government shall file a pleading to that effect on or before April 16, 2007. Such pleading shall comply with the provisions of 18 U.S.C. 3593(a). If no such statement is filed on or before that date, the opportunity to seek the death penalty shall be deemed waived.

DATED this 3rd day of April, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge